United Nations A/72/318

General Assembly

Distr.: General
11 August 2017
English
Original: Arabic/English/Spanish

Seventy-second session
Item 100 (g) of the provisional agenda*
General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

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* A/72/150.

17-13881 (E) 240817 050917

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I. Introduction

1. In its resolution 71/41 on conventional arms control at the regional and subregional levels, the General Assembly decided to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels, and requested the Secretary-General to seek the views of Member States on the subject and to submit a report thereon to the Assembly at its seventy-second session.

2. Pursuant to that request, on 20 February 2017, a note verbale was sent to Member States seeking their views on the subject, followed by a second note verbale dated 20 June 2017. The replies received are contained in section II below. Additional replies received after 31 July 2017 will be posted on the website of the Office for Disarmament Affairs[1] in the language of submission.

II. Replies received from Member States

Argentina

[Original: Spanish]
[8 May 2017]

With regard to conventional arms, Argentina believes that the excessive accumulation and uncontrolled spread of firearms have very serious consequences for sustainable economic and social development, as well as posing a serious challenge to the promotion of human rights in all societies.

Argentina therefore considers it a priority to strengthen existing mechanisms relating to arms control, illicit trade and arms transfers.

Argentina has been actively involved in, inter alia, the negotiations over the Arms Trade Treaty and the establishment of the Register of Conventional Arms, considering that international stability cannot be based solely on national controls and that these instruments contribute to peace and security. At the regional level, the Union of South American Nations (UNASUR) has established a mechanism for transparency in relation to countries' military inventories.

The emphasis that Argentina has placed on strengthening these mechanisms is part of its broader commitment over recent decades to the development, implementation and strengthening of subregional, regional and global confidence-building measures.

Brunei Darussalam

[Original: English]
[29 June 2017]

Brunei Darussalam has pledged its commitment to supporting international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures towards the achievement of lasting global peace, security and stability.

Brunei Darussalam is not a party to any international agreements to curb the proliferation of illicit firearms, nor has it signed or ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against

[1] www.un.org/disarmament/.

Transnational Organized Crime (Firearms Protocol) or the Arms Trade Treaty. However, Brunei Darussalam has always remained concerned about the rise in the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world. It is also the country's policy to remain fully supportive of any efforts towards regional disarmament. That includes supporting conventional arms control initiatives as a measure to promote regional and international peace and security and supporting calls at the multilateral level, through information-sharing and capacity-building, to prevent the diversion of conventional weapons to the illicit market and unwarranted parties.

Brunei Darussalam is not a manufacturer of firearms, components or ammunition and, therefore, has not filed a national report in the context of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The national point of contact for the Programme of Action, information for which was last updated in 2015, is registered as the Royal Brunei Police Force.

Brunei Darussalam continues to prohibit and restrict the manufacture, import and export of all firearms, parts and ammunition by type. Possession of any firearms by civilians is prohibited, and any offences related to their possession or unlawful use will result in serious penalties.

Colombia

[Original: Spanish]
[28 April 2017]

Colombia has been deeply affected by the problem of illicit trade in small arms and light weapons and its connection to the global problem of drugs, terrorism, ordinary crime and organized crime, among other offences. This issue is therefore of fundamental importance to Colombia, which is why it has led efforts to address it at the global, regional and subregional levels.

With regard to the United Nations, Colombia recognizes the importance of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the progress made in its implementation and the need to continue making progress in that regard.

From a national perspective, Colombia believes that international, regional and national efforts must be aimed at creating mechanisms for the fluid exchange of information on issues covered by the Programme of Action, in order to encourage the development of marking technologies, the consolidation of record-keeping systems and the implementation of arms tracing technologies that complement existing systems.

To promote the implementation of the Programme of Action, Colombia, Japan and South Africa sponsor an annual resolution entitled "Illicit trade in small arms and light weapons in all its aspects", which is introduced in the context of discussions on that issue in the First Committee of the General Assembly. The resolution urges States to take the measures required to effectively and efficiently address the illicit trade in small arms and light weapons by strengthening the Programme of Action and the International Tracing Instrument. The most recent resolution on the issue, adopted by the General Assembly at its seventy-first session, at the initiative of Colombia, was resolution 71/48.

In the text negotiated by Colombia, emphasis is placed on cross-border cooperation at the national, subregional and regional levels in addressing the

common problem of the illicit trade in small arms and light weapons in all its aspects, with full respect for each State's sovereignty over its own borders.

Colombia also actively participated in the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held from 6 to 10 June 2016. At the meeting, Colombia highlighted the need to work on the synergies between the Programme of Action and legally binding international instruments, in order to avoid duplication of efforts and the loss of resources. To facilitate control and cooperation activities, Colombia also proposed the development of regional manuals for the identification of small arms and light weapons.

At the global level, Colombia stresses that it has been a State signatory to the Arms Trade Treaty since 2013. The relevant internal process concerning the draft law for ratification of the Treaty is under way. At the same time, since August 2014, Colombia has been a beneficiary of the European Union's Treaty implementation assistance programme. Colombia was the first State to be accepted for the programme. In 2016, two activities were conducted:

- Legal framework for the implementation of the Arms Trade Treaty (Bogotá, 25 and 26 August 2016)
- Evaluation of drafts of the assistance road map to support the implementation of the Arms Trade Treaty (Brussels, 29 and 30 November 2016).

At the regional level, Colombia is a State party to the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials. It participates every year in the meeting of the Consultative Committee, which reviews matters related to the continued implementation of the Convention.

At the subregional level, Colombia participates in the Working Group on Firearms and Ammunition of the Southern Common Market (MERCOSUR) and associated States, which provides an opportunity for States to share experiences and establish joint initiatives to address the issues. Colombia also works within the framework of Andean Community decision 552 establishing the Andean Plan to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects, which is legally binding on the members of the Andean Community.

In conclusion, Colombia recognizes the importance of working jointly in different areas within the framework of conventional arms control instruments. Colombia adheres to such instruments and agrees that it is important to establish synergies between them.

Cuba

[Original: Spanish]
[29 March 2017]

Conventional arms control should be governed not only at the regional and subregional levels but also at the international level by the norms and principles of international law and the Charter of the United Nations. Conventional and any other type of arms should be controlled in a manner that strictly respects the principles of sovereignty, territorial integrity and non-intervention in the internal affairs of States and complies in good faith with the obligations assumed under international norms.

Conventional arms control at the regional and subregional levels must be based on respect for and recognition of national control measures. States should be

primarily responsible for implementing their arms control measures, which should be adapted to the different situations, interests, needs and characteristics of each country and region.

It is the prerogative of each State to decide which weapons are considered surplus and which are not. It is for States to establish and implement the arms controls they consider appropriate and decide whether they need assistance in doing so.

For arms control to be effective, cooperation and assistance initiatives must continue to be strengthened not only at the regional and subregional levels but also at the international level. In addition, such controls should not be limited to conventional arms but should include weapons of mass destruction, which have a significantly more devastating impact.

The conventional arms that exist in Cuba are defensive in nature and intended to maintain national security and defence. They are properly controlled by the appropriate State bodies.

In Cuba, the vast majority of conventional arms are the property of the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior, which both have the internal rules and mechanisms necessary for the rigorous and periodic control of stocks of such weapons and follow strict procedures to ensure the security of their arsenals. In addition, no sales of any kind of arms are permitted in Cuba, either by or between individuals or between individuals and legal entities.

Within the framework of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the multiple control mechanisms which the Cuban authorities use in order to ensure the security of their arms have been described in the national compliance reports pursuant to the Convention, and specifically in the discussions on stockpile management.

Lebanon

[Original: Arabic]
[29 April 2017]

The Ministry of National Defence believes that the following the key principles can serve as a framework for regional agreements on conventional arms:

- The authoritative resolutions adopted by the United Nations should be duly complied with, and the Charter should be respected.
- The resolution of international disputes, in particular the Arab-Israeli conflict, must be given priority.
- States are equal in terms of sovereignty and territorial integrity. It is important to prevent an arms race and build confidence.
- All concerned States in the region should remain compliant, with a view to precluding any repetition of the double standards applied in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. States should be held accountable in the event of non-compliance.
- The manufacture and transfer of arms should be controlled, and the smuggling of and illicit trafficking in arms should be suppressed in order to ensure that they do not fall into the hands of terrorists.

- Legislation should be enacted at the regional and international levels in order to limit the proliferation of such weapons, while allowing for the possibility of their individual or collective use to resist occupation or defend territory.
- Multilateralism should be strengthened as a means of furthering negotiation on arms regulation and disarmament.
- The technological superiority of several States, notably in the area of "smart" weapons and munitions, might allow them to circumvent international law.

Paraguay

[Original: Spanish]
[1 June 2017]

At the regional level, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, adopted on 14 November 1997, stipulates the need for, inter alia, export, import and transit licences or authorizations for firearms; and the strengthening of controls at export points. In this regard, it promotes and encourages cooperation and the exchange of information and experience among States.

Moreover, the fundamental objective of the Inter-American Convention on Transparency in Conventional Weapons Acquisitions is to build mutual confidence among States in the Americas. It provides a set of rules and obligations that must be observed by the contracting States, with the aim of maintaining control of arms imports and exports from and to every country, each calendar year, through the Organization of American States.

At the subregional level, MERCOSUR has a Working Group on Firearms and Ammunition, in which States parties and associated States participate. This forum allows States to adopt common standards for the manufacturing of and trade in firearms as well as to combat illegal trade in such weapons, and to present common positions in the various international forums on conventional arms control.

With a view to strengthening joint and coordinated action across the region to combat transnational organized crime, using the resources and capacities of the organs directly responsible for conventional arms control, MERCOSUR adopted the Memorandum of Understanding for Information Exchange on the Manufacture and the Illicit Traffic of Firearms, Ammunition, Explosives and Other Related Materials between the States parties of MERCOSUR and associated States.

MERCOSUR also has a Joint Register Mechanism of Consumers and Sellers of Firearms, Ammunition, Explosives and Other Related Materials for MERCOSUR. This mechanism brings together the respective databases and other record-keeping systems of the relevant bodies in each signatory State, and information can be requested for consultation through a security information exchange system. MERCOSUR aims to implement this mechanism more effectively in the future.

Portugal

[Original: English]
[28 April 2017]

Arms control efforts have been one of the cornerstones of the international community's security environment. Portugal shares the concerns of the community about the increasing trend towards the proliferation of conventional arms, and,

bearing in mind the historical testimonies on this subject, Portugal considers that non-proliferation and disarmament are matters of grave importance in the promotion of peace and security in a global context and specifically in a regional and subregional context. Portugal supports the implementation of various confidence- and security-building measures, which include the Vienna Document; the Treaty on Open Skies; and the humanitarian demining goals of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).

Under Law No. 5/2006 of 23 February 2006, as amended by Law No. 12/2011 of 27 April 2011 and Law No. 50/2013 of 24 July 2013, the police have contributed to the implementation of measures on the legal regime of arms and ammunition for civil use and the application of community regulations and directives.

The existing rules and instruments establish and permit the possession, use, control, licensing and inspection of arms, ammunition and the components thereof, including their manufacture, assembly, repair, import, export, transfer, storage, circulation, trade, acquisition, holding, shipping manifest and security, and also concern the legal framework of the prevention of criminal operations involving them.

In addition, the exchange of information with international institutions such as the International Criminal Police Organization (INTERPOL) and the European Police Office (Europol), in order to strengthen arms control at the European Union level, especially with regard to the traceability of arms, should be mentioned.

Portugal, along with its North Atlantic Treaty Organization partners, has ratified the Treaty on Conventional Armed Forces in Europe, considered to be a landmark arms control agreement, and believes that this endeavour has proven to be an exceptional element of the security and stability of the European region, having established a transparency mechanism that has a major influence on the stability of the region.

The successful experience in relation to that Treaty could be a good model for other regions of the world. Bearing that in mind, Portugal believes that a similar mechanism would prove to be a stability-promoting element in different parts of the globe, in the regional and subregional contexts.

Portugal is in favour of developing synergies between regional organizations that may be involved in arms control.

Portugal regrets Russia's selective implementation of the Vienna Document and the Treaty on Open Skies and its long-standing non-implementation of the CFE Treaty, which have eroded the positive contributions of those arms control instruments, as well as its decision to abandon the Treaty on Conventional Armed Forces in Europe.

Portugal was one of the first 50 States to ratify the Arms Trade Treaty, which is the first legal instrument on the matter of disarmament adopted by the United Nations in the past decade. Portugal stands ready to promote the universalization of the Treaty and is fully committed to the efforts of promoting its ratification. Besides engaging in bilateral initiatives to promote the Treaty, Portugal was present at the European Union regional seminars in support of its implementation for Latin America and the Caribbean and for members of the Economic Community of West African States and its neighbours, and also provides support for national assistance programmes in Colombia and Senegal.

Spain

[Original: Spanish]
[28 April 2017]

The ultimate goal of an arms control regime or confidence- and security-building measures is to prevent conflict by reducing the risk of misunderstanding or miscalculation of the military activities of others; by implementing measures to make covert military preparations more difficult; and by reducing the risk of surprise attacks or the accidental eruption of hostilities.

The establishment of confidence-building measures, especially among affected neighbouring States, the strengthening of border controls and the training of specialized staff, among other arrangements, create a propitious environment for the elaboration of supranational (including regional or subregional) arms control agreements.

In addition, regional and subregional conventional arms control agreements should take into account the importance of:

- Increasing transparency measures within the regional and subregional forums themselves and disseminating the objectives of such forums
- Compiling an arms inventory in the countries where such inventories do not yet exist
- Taking measures to promote universal adherence to the various international instruments
- Enforcing strict requirements for export and import permits
- Strengthening mechanisms for monitoring weapons manufacturers.

Moreover, within the Organization for Security and Cooperation in Europe (OSCE), Spain is engaging in the structured dialogue on current and future challenges and risks endorsed by the OSCE Ministerial Council in Hamburg in December 2016, as a first step in the strategy for relaunching arms control and confidence- and security-building measures in Europe.

Ukraine

[Original: English]
[3 May 2017]

Ukraine recognizes the importance of conventional arms control, including at the regional and subregional levels, as set out in General Assembly resolution 71/41, and, accordingly, welcomes all relevant measures in this field.

This commitment has been reinforced by Russia's uncivilized behaviour, which has maliciously put conventional arms control in Europe into a state of impasse, thus ensuring an erosion of trust and confidence in the military field, challenging the very essence of the architecture of contemporary European security as well as verifiable security- and confidence-building embodied in conventional arms control and related confidence- and security-building measures.

Ukraine is a long-term, responsible participant in pan-European and complementary bilateral conventional arms control and related confidence-building instruments, such as the Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies and the Vienna Document of the Organization for Security and Cooperation in Europe on confidence- and security-building measures. Ukraine is also a participant in bilateral agreements on confidence- and security-building

measures with neighbouring Hungary, the Republic of Poland, the Slovak Republic, the Republic of Belarus and Romania. Notwithstanding the tense situation in the country and the corresponding increase in the burden on Ukraine's armed forces caused by Russia's aggression, Ukraine continues to comply with its obligations assumed under the above-mentioned international instruments.

The case of Ukraine as a victim of Russia's aggression is a reminder of the urgent need to revitalize and improve conventional arms control in order to strengthen its capability to better address the existing security challenges in the areas of application.

Ukraine's case also compels a periodic assessment of the relevance, strengths and weaknesses of conventional arms control tools used by participating States, without waiting for acts of aggression.

Ukraine considers that conventional arms control should, first, deal with the traditional categories of conventional armaments with a view to spreading control over new categories; have as many participants as possible and cover as large an area as possible; be transparent to the maximum extent possible through information exchange and verification intrusiveness; preferably be legally binding; be free from ambiguities in interpretation; be periodically evaluated by parties for viability, effectiveness and the possibility of further enhancement and modernization; be free from spheres of influence as well as such things as a "veto" vote, especially when it comes to aggression. The above-mentioned approaches may enable interested parties to make progress in moving closer to peace and security throughout the area of application of confidence-building measures in the field of conventional arms.